

State Military Code Senate File 2124

Last Action:

**House State
Government
Committee**

March 13, 2002

Executive Summary Only

An Act relating to the department of public defense by amending the state military code and the Iowa code of military justice, creating a statewide mutual aid compact, providing for the confidentiality of certain records, exempting the department of public defense from certain state service contract requirements and state competitive bidding requirements, exempting the Iowa technology center from anticompetition provisions, increasing a standing appropriation, providing criminal penalties for violations, and providing effective dates.



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LEGISLATIVE FISCAL BUREAU NOTES ON BILLS AND AMENDMENTS (NOBA)

LFB Contact: Jennifer Dean (17846)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

SENATE FILE 2124 STATE MILITARY CODE

DIVISION I – MISCELLANEOUS CODE CHANGES

- Amends the State Military Code, Chapter 29A, Code of Iowa. Makes nonsubstantive Code changes, amends definitions of “on duty” and “State active duty,” and makes other miscellaneous changes to various subsections of Chapter 29A.
- Amends Chapter 8.47, Code of Iowa, to exempt the Department of Public Defense from the requirement that the Department follow General Services rules for service contracts or other agreements where federal funds make up 75.0% or more of the funding.
- Increases annual Senior Commander allowances from \$450 per general officer to \$750 per general officer. There are approximately 6 Senior Commanders that are affected by this Section. This increases the standing appropriation for Compensation and Expense by \$1,800. This increase in the standing appropriation would change the estimated net FY 2002 appropriation of \$430,650 to \$432,450 in FY 2003.

DIVISION II – IOWA NATIONAL GUARD RELIEF ACT

- Creates the Iowa National Guard Civil Relief Act, replacing temporary language that was adopted by the Second Extraordinary Session in 2001 Iowa Acts, House File 762, which sunset January 31, 2002. The Civil Relief Act applies to members of the Iowa National Guard serving on active State service or State active duty for a period of 90 consecutive days or more beginning on or after the effective date of this Bill.

DIVISION III – IOWA CODE OF ADMINISTRATIVE JUSTICE

- Amends Chapter 29B, Code of Iowa, the Iowa Code of Military Justice. This Section of the Code deals with judge advocates, military judges, and trial and defense counsel.

DIVISION IV – EMERGENCY MANAGEMENT DIVISION

- Amends Section 29C.8, Code of Iowa, to require the Emergency Management Division to develop a critical asset protection plan.
- Amends Section 22.7, Code of Iowa, to require the administrator to keep confidential information received from public and private agencies used in the development of the critical asset plan; however upon written request, a person may view the list of assets but the list will not be copied.
- Authorizes an intrastate compact for mutual aid between participating governments, allowing participating political subdivisions to request and share resources during times of emergency or disaster.

DIVISION V – COMPETITIVE BIDDING

- Amends Section 18.6, Code of Iowa, to exempt Iowa Technology Center contracts made in support of activities performed for another governmental entity, either State or federal.
- Amends Section 23A.2, Code of Iowa, to exempt the Iowa Technology Center from the provisions in Chapter 23A, regarding competition by State agencies.

EFFECTIVE DATE

- Division I through IV take effect upon enactment.
- Division V takes effect on July 1, 2002.

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 2124
STATE MILITARY CODE**

Summary Data

General Fund

S.F. 2124	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Committee FY 2003	House Comm. Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Unassigned Standing	\$ 184,900	\$ 770,222	\$ 430,650	\$ 432,450	\$ 1,800	
Grand Total	<u>\$ 184,900</u>	<u>\$ 770,222</u>	<u>\$ 430,650</u>	<u>\$ 432,450</u>	<u>\$ 1,800</u>	
Standing	\$ 184,900	\$ 770,222	\$ 430,650	\$ 432,450	\$ 1,800	
Grand Total	<u>\$ 184,900</u>	<u>\$ 770,222</u>	<u>\$ 430,650</u>	<u>\$ 432,450</u>	<u>\$ 1,800</u>	

Unassigned Standing

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<u>Public Defense, Department of</u>						
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